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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Harald Genger et al

Patent App. 09/980,573

Filed 6 February 2002 Conf. No. 5984

For DEVICE FOR DETECTING ELECTRICAL POTENTIALS IN THE FOREHEAD AREA OF A PATIENT

Art Unit 3736 Examiner Foreman, J

Hon. Commissioner of Patents

Box 1450

Alexandria, VA 22313-1450

Allowed: 4 January 2006

INFORMATION DISCLOSURE STATEMENT

Attached hereto is a copy of the recently received German Office Action. Also attached are copies of those references not already of record.

The undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.


The German Office Action makes a blanket formal rejection of the claims and then states, with regard to the references:

"In looking at the references, 1 - 8 for example all describe arrangements for displaying different medical data. Even the varying breath pressure (introductory clause) is seen for example in references 9 to 11 and the use of cordless transmission

of the head signals is seen in references 7 and 12 or from DE 199 56 841 cited by applicant."

Attention is directed to 1194 OG 167 (7 January 1997) which states with reference to information submitted in an Information Disclosure Statements "Where the information listed is not in the English language, but was cited in a search report by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English language version of the search report which indicates the degree of relevance found by the foreign office."

Respectfully submitted,  
The Firm of Karl F. Ross P.C.



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by: Andrew Wilford, 26,597  
Attorney for Applicant

16 May 2006  
5676 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: (718) 884-6600  
Fax: (718) 601-1099

Enclosure:                    PTO 1449  
                                Seven references  
                                Petition  
                                German Office Action

**LIST OF PATENTS  
AND PUBLICATIONS**

22054

09/980,573

APPLICANT

Harald GINGER et al

FILING DATE

6 February 2002

GROUP

3736

**U.S. PATENT DOCUMENTS**

| EX.<br>INIT |    | DOCUMENT NO.<br>Cntry code - No. | DATE<br>MM-YYYY | NAME | CLASS | SUB-CLASS | FILING DATE<br>IF APPROPRIATE |
|-------------|----|----------------------------------|-----------------|------|-------|-----------|-------------------------------|
|             | AA | US-5 755 230                     |                 |      |       |           |                               |
|             | BB | US-5 406 957                     |                 |      |       |           |                               |
|             | CC | US-                              |                 |      |       |           |                               |
|             | DD | US-                              |                 |      |       |           |                               |
|             | EE | US-                              |                 |      |       |           |                               |
|             | FF | US-                              |                 |      |       |           |                               |
|             | GG | US-                              |                 |      |       |           |                               |
|             | HH | US-                              |                 |      |       |           |                               |

**FOREIGN PATENT DOCUMENTS**

|  |    | DOCUMENT NO.<br>Cntry Code - No. | DATE<br>MM-YYYY | COUNTRY  | NAME                    | CLASS | TRANSL. |    |
|--|----|----------------------------------|-----------------|----------|-------------------------|-------|---------|----|
|  |    |                                  |                 |          |                         |       | YES     | NO |
|  | AI | DE 94 00 950                     | 10/1995         | GERMANY  | Blumbach, Kramer        |       |         |    |
|  | AJ | DE 94 18 874                     | 11/1995         | GERMANY  | Schoppe, F., Dipl.      |       |         |    |
|  | AK | DE 298 16 662                    | 02/1999         | GERMANY  | Samson & Partner        |       |         |    |
|  | AL | DE 692 31 157                    | 11/1991         | GERMANY  | University Technologies |       |         |    |
|  | AM | DE 696 34 262                    | 10/1995         | GERMANY  | Compumedics Sleep       |       |         |    |
|  | AN | DE 695 01 327                    | 03/1994         | GERMANY  | Minnesota Mining        |       |         |    |
|  | AO | WO 97/10019                      |                 | WIPO     |                         |       |         |    |
|  | AP | WO 98/12965                      |                 | WIPO     |                         |       |         |    |
|  | AQ | EP 0 815 792                     |                 | EUROPEAN |                         |       |         |    |
|  | AR | DE 21 06 552                     | 08/1972         | GERMANY  | SIEMENS AG              |       |         |    |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

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|  | AS |  |
|  | AT |  |

EXAMINER  
Foreman, J

DATE CONSIDERED

EXAMINER: Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

22 May 2006

The Firm of Karl F. Ross P.C.  
Customer Number 535  
5676 Riverdale Ave. Box 900  
Bronx (Riverdale), NY 10471  
(718) 884-6600